

UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEW HAMPSHIRE

Michael Fanjoy

v.

Civil No. 10-cv-128-JL

Howard Lee Schiff, PC

O R D E R

Last fall, the defendant indicated in response to the plaintiff's mediation statement that they did not believe that mediation would be useful in this case because they believe that the plaintiff's case lacks merit, was filed in bad faith, and should be dismissed. Contrary to the defendant's beliefs, however, the case has not been dismissed and is scheduled for trial during the period beginning on September 5, 2011.

Mediation is an important part of the litigation process. The court expects parties to engage in mediation before committing the time and resources necessary to prepare for trial and before the court expends judicial resources on a trial. Even if the parties are unable to resolve the entire case through mediation, their good faith efforts in mediation can narrow the claims and defenses and focus the parties on the realities of litigation. The defendant's stated reasons for not engaging in mediation are not persuasive.

Therefore, the defendant's counsel again shall confer with the defendant, in light of this order, and file a response on or before **April 16, 2012**.

SO ORDERED.



Joseph N. Laplante
United States District Judge

April 2, 2012

cc: Amy Bennecoff, Esq.
Angela Troccoli, Esq.
Karen Wisniowski, Esq.